

(ORDER LIST: 536 U.S.)

MONDAY, JUNE 10, 2002

CERTIORARI -- SUMMARY DISPOSITION

01-600 MASON, WARDEN V. MITCHELL, CHARLIE L.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Bell v. Cone*, 535 U.S. ____ (2002).

ORDERS IN PENDING CASES

01A930 RODRIGUEZ, ISIDORO V. HASBUN, ESCAF AMLIN

The application for stay addressed to Justice O'Connor and referred to the Court is denied.

01M64 MUNOZ, RODOLPHO P. V. MUNOZ, TENCIL G.

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied.

01M65 PETROVICH, PETER V. SANDS CASINO & HOTEL

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time under Rule 14.5 is denied.

01M66 ESCOBEDO, JOEL V. TEXAS

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is granted.

129, ORIG. VIRGINIA V. MARYLAND

The motion of the Special Master for fees and reimbursement of expenses is granted, and the Special Master is awarded a total of \$74,811.30 for the period August 1, 2001, through April 30, 2002, to be paid equally by the parties.

01-8880 IN RE DOUGLAS W. THOMPSON

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

APPEALS -- JURISDICTION NOTED

01-1437) BRANCH, BEATRICE, ET AL. V. SMITH, JOHN R., ET AL.

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01-1596) SMITH, JOHN ROBERT, ET AL. V. BRANCH, BEATRICE, ET AL.

In these cases probable jurisdiction is noted.

The cases are consolidated and a total of one hour is allotted for oral argument.

CERTIORARI GRANTED

01-1325 WASHINGTON LEGAL FOUNDATION V. LEGAL FOUNDATION OF WA

The petition for a writ of certiorari is granted.

01-1243 BORDEN RANCH, ET AL. vs. U. S. ARMY CORPS OF ENGRS.

The petition for a writ of certiorari is granted.

Justice Kennedy took no part in the consideration or decision of this petition.

CERTIORARI DENIED

00-1305 KISMET INVESTORS, INC. V. BENTON COUNTY, MN
01-144 FULTON CTY., GA, ET AL. vs. FLANIGAN'S ENTERPRISES, INC.
01-785 SEARLES, JIMMY V. VAN BEBBER, DURWARD
01-1277 KRILICH, ROBERT R. V. UNITED STATES
01-1292 EPILEPSY FOUNDATION V. NLRB
01-1318 BZAPS, INC., ETC. V. MANKATO, MN
01-1380 SINYARD, JAMES T., ET UX. V. ROSSOTTI, COMM'R, IRS
01-1456 RITTER, IRA C., ET AL. V. STANTON, JERRY, ET UX.
01-1466 NY CITY HOUSING AUTHORITY V. DAVIS, PAULINE, ET AL.
01-1468 PHONOMETRICS, INC. V. HOTEL CORP. OF THE PACIFIC
01-1473 HUNT TRUCK LINES, INC. V. CENTRAL STATES, ETC., ET AL.
01-1474 BLEDSOE, RAYMON V. NUCOR-YAMATO STEEL CO.
01-1481 WEICHERT, SUSAN M. vs. KRUK, JOHN W.
01-1482 PROGRESS RAIL SVCS., ET AL. V. ALLFIRST BANK
01-1485 KAPLAN, MARTIN C. V. LUDWIG, ROBERT P., ET AL.
01-1486 MANN, BEVERLY B. V. UPJOHN COMPANY
01-1488 OR ARENA CORP., ET AL. V. LEE, DANIEL, ET AL.
01-1489 NATL. ELEC. MFGS. ASSN. V. SORRELL, ATT'Y GEN. OF VT
01-1493 MULCAHY, EDWARD, ET AL. V. WASHINGTON, ET AL.
01-1497 RIVERA, CARMEN C., ET AL. V. CHASE MANHATTAN BANK, ET AL.
01-1498 RUTHERFORD, GENE A. V. LAKE MICHIGAN CONTRACTORS
01-1505 COSTA, FRANK V. McCULLOUGH, SUPT., ET AL.
01-1510 QUINCY MALL, INC. V. PARISIAN, INC.
01-1520 SMITH, CARNELL A. V. ODUM, TONI W.
01-1523 VOIT, ROBERT L. V. LOUISVILLE & JEFFERSON CTY.
01-1524 ZAMOS, JEROME V. COURT OF APPEAL OF CA

01-1526 BROWN, ROBERT E. V. WILMINGTON, DE, ET AL.

01-1529 HUTCHINS, CHARLES T. V. WILENTZ, GOLDMAN AND SPITZER

01-1531 MAYNES, RAYMOND J. V. COLORADO

01-1538 SISK, ELISE V. VIRGINIA

01-1544 DAVIS, RUFUS T. V. EUCLID, OH

01-1556 OUIMETTE, GERARD T. V. RHODE ISLAND

01-1558 TYLER, LAWRENCE V. DOUGLAS, JAMES H., ET AL.

01-1568 FULTON CTY., GA, ET AL. vs. LAMBERT, CHESTER L., ET AL.

01-1579 SMITH, STUART H. V. WATERMAN STEAMSHIP CORP.

01-1611 MURPHY, ROMALLUS O., ET AL. vs. CHARLOTTE MECKLENBURG HOSP.

01-1638 GLASSCOCK, AARON V. UNITED STATES

01-7143 OSTERBACK, MARK V. INGRAM, J. L., ET AL.

01-8115 McCOY, CHESTER V. UNITED STATES

01-8272 HANEY, JOHN L. V. UNITED STATES

01-8432 DUNCAN, JIMMIE C. V. LOUISIANA

01-8451 PHILISTIN, BORGELA V. PENNSYLVANIA

01-8780 EMERSON, TIMOTHY J. V. UNITED STATES

01-8861 HAMMONDS, JAKIE V. NORTH CAROLINA

01-9024 STUART, GENE F. V. IDAHO

01-9456 MORALES, HUMBERTO V. VAUGHN, SUPT., GRATERFORD

01-9465 JAMES, JIMMIE L. V. MOBILE CITY POLICE DEPT.

01-9475 CARROLL, RITA V. PFEFFER, FREDERICK W.

01-9479 HORN, JOHN L. V. JONES, WARDEN, ET AL.

01-9482 GIBBS, ARSON I. V. SNYDER, WARDEN, ET AL.

01-9484 HENLEY, BETHEL V. STEGALL, WARDEN

01-9485 GIBBS, HENRY V. SHANNON, SUPT., MAHANAY

01-9488 HOLLEY, MARVIN V. MITCHEM, WARDEN, ET AL.

01-9490 ADAM, RICHARD L. V. HAWAII
 01-9491 ELDRIDGE, MICHAEL L. V. PORTUONDO, SUPT., SHAWANGUNK
 01-9492 WOODLAND, JOHN V. CORCORAN, WARDEN, ET AL.
 01-9493 TOWARD, WILLIAM V. CALIFORNIA
 01-9495 RODRIGUEZ, EMILLIANO V. LEWIS, WARDEN
 01-9505 WILLIAMS, JEFFERY L. V. COCKRELL, DIR., TX DCJ
 01-9506 TAYLOR, ROY V. REYNOLDS, BOBBY, ET AL.
 01-9508 BLANEY, JEFFREY S. V. ILLINOIS
 01-9518 JACKSON, DOUGLAS M. vs. FL DOC
 01-9519 JACKSON, WILLIE J. vs. USDC ND MS
 01-9520 JACKSON, OLA vs. AR DEPT. OF EDUCATION, ET AL
 01-9521 LEWIS, CLARENCE D. V. RADER, WARDEN
 01-9523 KINNAIRD, HERSELL V. TENNESSEE
 01-9524 BUSTAMONTE, ALBERTO V. SPRINGFIELD, MA, ET AL.
 01-9527 BERRIOS, MARK V. FLORIDA
 01-9530 JONES, DEVIN L. V. ARKANSAS
 01-9537 WILLIAMS, NORMAN V. WADE, DONALD F.
 01-9538 ORTIZ, BYRON V. GREINER, SUPT., GREEN HAVEN
 01-9540 JENKINS, CHESTER J. V. BELL, MICHAEL T.
 01-9544 MILLER, TRACY A. V. HALL, WARDEN
 01-9545 McFADDEN, BERNARD V. CLARENDON CTY SHERIFF'S DEPT
 01-9546 HOOSMAN, MARLANDO A. V. IOWA
 01-9547 SMITH, BARRY L. V. JOHNSON, SUPT., PITTSBURGH
 01-9548 SIMMONS, CHRISTOPHER I. V. HAMBLY, ASA, ET AL.
 01-9550 BRYANT, ADOLPH V. JOHNSON, COMM'R, MS DOC
 01-9553 RAMIREZ, MARC V. GERLINSKI, WARDEN, ET AL.
 01-9554 AL-HAKIM, MARZUQ A. vs. BEALLS DEPT. STORE 32, ET AL

01-9555 LUGO, DANIEL V. FLORIDA
01-9557 BATTLE, D. ANTHONY V. ROE, WARDEN
01-9561 LOVERA, ALICIA S. V. GUIDA, WARDEN
01-9565 TERRY, KARL A. V. OREGON
01-9596 HOLLAND, FRANCIS N. V. NORRIS, DIR., AR DOC
01-9600 SINCLAIR, BILLY V. LOUISIANA
01-9612 RENEAU, DANIEL E. V. COCKRELL, DIR., TX DCJ
01-9624 NICOLAISON, WAYNE V. MILCZART, FRANK, ET AL.
01-9627 MORDOWANEC, MICHAEL V. CONNECTICUT
01-9641 FARINA, ANTHONY J. V. FLORIDA
01-9687 ARRINGTON, WALTER L. V. ANGELONE, DIR., VA DOC
01-9705 ZEITSCHIK, MARLENE V. USPS
01-9713 CASTILLE, LORETTA V. COMPLIANCE SOLUTIONS
01-9738 McDOWELL, JOHN V. VARNER, SUPT., DALLAS
01-9899 LOUDON, CHARLES E. V. UNITED STATES
01-9900 KOCH, VICKI L. V. POTTER, POSTMASTER GEN.
01-9906 STEINBRECHER, ROSEMARY C. V. STEINBRECHER, JOHN, ET AL.
01-9908 BURL, MELVIN A. V. UNITED STATES
01-9909 DUNCAN, DONALD W. V. POTTER, POSTMASTER GEN.
01-9919 McDUFFIE, GARY D., ET AL. V. UNITED STATES
01-9939 BELKNAP, CRAIG V. UNITED STATES
01-9969 MUNDA, DONALD M. V. UNITED STATES
01-9972 VERA, DAVID V. UNITED STATES
01-10003 BAILEY, CALVIN L. V. LANE, WARDEN
01-10006 JACKSON, OMAR V. UNITED STATES
01-10013 BLACKBURN, SAMUEL V. ASHCROFT, ATT'Y GEN., ET AL.
01-10016 BAD WOUND, JOHN V. UNITED STATES

01-10021 ROSARIO, ELVIR V. UNITED STATES
01-10029 PELAYO-JIMINEZ, RAMIRO V. UNITED STATES
01-10032 LITTLEJOHN, BURTON V. UNITED STATES
01-10033 JONES, SHAWN W. V. UNITED STATES
01-10036 McGEORGE, JACKIE V. UNITED STATES
01-10042 BROADNAX, TYRONE O. V. UNITED STATES
01-10044 SAENZ, ABEL V. UNITED STATES
01-10046 POWELL, FLOYD JUNIOR V. UNITED STATES
01-10047 PRICE, WILLIAM A. V. UNITED STATES
01-10050 CORTES, ANTONIO V. UNITED STATES
01-10051 CHAVEZ, RAUL V. UNITED STATES
01-10052 EVANS, ROBERT V. UNITED STATES
01-10053 CHAMBERS, DARRELL V. UNITED STATES
01-10054 LEYVA, RALPH V. UNITED STATES
01-10055 CANO-GARCIA, HILARIO V. UNITED STATES
01-10056 CHAVEZ, TEODORO C. V. UNITED STATES
01-10057 JONES, JAMES S. V. UNITED STATES
01-10059 PILART, ATIBA V. UNITED STATES
01-10062 SAMPSON, ERIC C. V. UNITED STATES
01-10065 WARREN, JAMES C. V. UNITED STATES
01-10071 HAMM, ULYSSES V. UNITED STATES
01-10073 FOSTER, AUTRY J. V. UNITED STATES
01-10076 WHOOTEN, PAUL R. V. UNITED STATES
01-10085 CORDOVA-GONZALEZ, ANTONIO V. GONZALEZ, WARDEN, ET AL.
01-10086 MORGAN, MICHAEL S. V. UNITED STATES
01-10088 NAVA-HERNANDEZ, ANDRES V. UNITED STATES
01-10089 PARHAM, JOHN W. V. UNITED STATES

01-10090 RODRIGUEZ, JUAN G. V. UNITED STATES
01-10093 MARTINEZ-VARGAS, JOSE M. V. UNITED STATES
01-10094 DIX, SEAN P. V. UNITED STATES
01-10096 McQUEEN, NATHANIEL F. V. SCOTT, WARDEN
01-10098 JOHNSON, JOHN A. V. UNITED STATES
01-10100 URIAS-ESCOBAR, JOSE M. V. UNITED STATES
01-10101 ANDERSON, DAVID V. UNITED STATES
01-10102 CASTRO, MICHAEL A. V. CHANDLER, WARDEN
01-10109 JOHNSON, PERCIVAL R. V. UNITED STATES
01-10112 WELKER, COREY E. V. UNITED STATES
01-10117 BEAHM, WESLEY K. V. UNITED STATES
01-10120 OCHOA-OLIVAS, MARIO V. UNITED STATES
01-10123 RICHARDS, EVERTON V. UNITED STATES
01-10125 COLEMAN, WAYNE V. DeWITT, WARDEN
01-10126 RUMARO, OSCAR V. UNITED STATES
01-10128 JONES, DONOVAN H. V. UNITED STATES
01-10129 SMITH, MARVIN V. UNITED STATES
01-10131 SHACKLEFORD, BERNARD V. UNITED STATES
01-10133 ODIODIO, BONIFACE S. V. UNITED STATES
01-10135 CERVANTES-NAVA, ROBERTO V. UNITED STATES
01-10136 ACEVEDO-CRUZ, VICTOR G. vs. U. S. PAROLE COMM'N
01-10144 CHARLUI SANT-PAGAN, JOSE V. VASQUEZ, WARDEN
01-10148 ALI, DANISH S. V. UNITED STATES
01-10155 BENNETT, RAY V. UNITED STATES
01-10158 BRINKLEY, SEAN A. V. UNITED STATES
01-10163 RIANO, MAURICIO V. UNITED STATES
01-10166 LOCKETT, CURTIS G. V. UNITED STATES

01-10167 MALLOY, KEVIN P. V. UNITED STATES

01-10170 PEREZ-GARCIA, OMAR V. UNITED STATES

The petitions for writs of certiorari are denied.

01-803 HOPKINS, WARDEN V. NEWMAN, JOHN B.

01-820 REYNOLDS, SUPT. MOHAWK V. MORRIS, GEORGE

01-1180 FLORIDA V. PULLEN, GLORIA

01-1475 TEXAS V. VICIOSO, WILFREDY R.

The motions of respondents for leave to proceed *in forma pauperis* are granted. The petitions for writs of certiorari are denied.

01-1464 VISA U.S.A. INC., ET AL. vs. WAL-MART STORES, ET AL.

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

01-1539 SUDARSKY, PETER V. NEW YORK CITY, ET AL.

The motion of Shemco, Inc. for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

01-8443 BEN-YISRAYL, OBADYAH V. INDIANA

The motion of petitioner to strike the brief in opposition is denied. The petition for a writ of certiorari is denied.

01-9231 MARBLY, JOSEPH M. V. DEPT. OF TREASURY, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

HABEAS CORPUS DENIED

01-10147 IN RE BILL SAUNDERS

01-10247 IN RE JOEY LEDELL DEESE

The petitions for writs of habeas corpus are denied.

01-10179 IN RE DANNY R. HOLLINGSWORTH

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of habeas corpus is dismissed. See Rule 39.8.

MANDAMUS DENIED

01-1537 IN RE LIZZIE LOU SIMPSON

01-9541 IN RE MARCELLUS MASON, JR.

01-9560 IN RE DARRELL D. WILLIAMS

01-10080 IN RE BLAKE HANKINS STOVER

The petitions for writs of mandamus are denied.

REHEARINGS DENIED

01-1137 BANDUSKY, STEVEN J. V. ARIZONA

01-1240 IN RE GEORGE LAWSON KELLY

01-1250 DONNER, MIRIAM V. DONNER, EDWARD, ET AL.

01-1343 KNISKERN, JAMES, ET AL. V. AMSTUTZ, RON, ET AL.

01-7296 STOKES, PAUL A., ET AL. V. UNITED STATES

01-7632 TWILLIE, THOMAS L. V. BRENNAN, SUPT., ALBION

01-8158 COLWICK, MICHAEL J. V. TEXAS

01-8575 JONES, CHARLES E. V. BRYANT, WARDEN

01-8663 EARLY, SUSAN E. V. THOMPSON, SEC. OF H&HS

01-9181 MCHAN, CHARLES W. V. UNITED STATES

The petitions for rehearing are denied.

ATTORNEY DISCIPLINE

D-2315 IN THE MATTER OF DISCIPLINE OF THOMAS EUGENE REEKS

Thomas Eugene Reeks, of Tucson, Arizona, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2316 IN THE MATTER OF DISCIPLINE OF DOUGLAS M. MARSHALL

Douglas M. Marshall, of Grand Forks, North Dakota, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2317 IN THE MATTER OF DISCIPLINE OF THOMAS B. RICHEY

Thomas B. Richey, of Fresno, California, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2318 IN THE MATTER OF DISCIPLINE OF NATHANIEL BARKER HUGHES, III

Nathaniel Barker Hughes, III, of Memphis, Tennessee, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be

disbarred from the practice of law in this Court.

D-2319 IN THE MATTER OF DISCIPLINE OF N. REESE BAGWELL, JR.

N. Reese Bagwell, Jr., of Clarksville, Tennessee, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2320 IN THE MATTER OF DISCIPLINE OF JONATHAN W. BELSKY

Jonathan W. Belsky, of University City, Missouri, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2321 IN THE MATTER OF DISCIPLINE OF RONALD GEORGE CARON

Ronald George Caron, of Saco, Maine, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2322 IN THE MATTER OF DISCIPLINE OF TIMOTHY EDWARD CASSIDY

Timothy Edward Cassidy, of West Mifflin, Pennsylvania, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2323 IN THE MATTER OF DISCIPLINE OF RICHARD CLARK SPITZER

Richard Clark Spitzer, of Arlington, Virginia, is

suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

RECESS ORDER

The Court will take a recess from today until Monday, June 17, 2002.